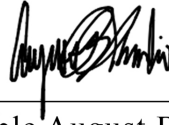


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Honorable August B. Landis
United States Bankruptcy Judge



Entered on Docket
October 16, 2017

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Counsel for Victoria L. Nelson, Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

DORON MASHAL and SHIRAH
GOODMAN-MASHAL,

Debtors.

Case No. BK-S-17-12731-ABL
Chapter 7

**ORDER GRANTING MOTION TO
APPROVE SALE OF THE REAL
PROPERTY LOCATED AT 10710
HOBBITON AVENUE, LAS VEGAS,
NEVADA 89135 [APN 164-12-213-019]
PURSUANT TO 11 U.S.C. § 363**

Date of Hearing: October 12, 2017
Time of Hearing: 11:00 a.m.
Place: Courtroom No. 1, Third Floor
Foley Federal Building
300 Las Vegas Blvd., S.
Las Vegas, NV 89101

Judge: Honorable August B. Landis¹

¹ All references to "ECF No." are to the numbers assigned to the documents filed in the case as they appear on the docket maintained by the clerk of the court.

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This matter came before the Court on the *Motion to Approve Sale of the Real Property Located At 10710 Hobbiton Avenue, Las Vegas, Nevada 89144-0000 [APN 164-12-213-019]* Pursuant to 11 U.S.C. § 363 [ECF No. 71] (the “Motion”) filed by VICTORIA L. NELSON, the Chapter 7 Trustee appointed in the above-captioned bankruptcy case (the “Trustee”), by and through her counsel of record, Jacob L. Houmand, Esq. and Kyle J. Ortiz, Esq. of the law firm of Nelson & Houmand, P.C. The Motion sought to approve the sale of real property located at 10710 Hobbiton Avenue, Las Vegas, Nevada 89135 [APN 164-12-213-019] (the “Hobbiton Property”) to Red Rock Region Investments, LLC (the “Purchaser”). Although the Motion identified the zip code for the Hobbiton Property as 89144, at the hearing on the Motion counsel for the Trustee clarified that the correct zip code for the Hobbiton Property is 89135. The Motion was filed pursuant to 11 U.S.C. §§ 105 and 363(b) and (f) and Federal Rules of Bankruptcy Procedure 2002(c) and 6004 and Local Rule 9014(a)(a).²

Kyle J. Ortiz, Esq. appeared on behalf of the Trustee and Ramir M. Hernandez, Esq. appeared on behalf of U.S. Bank.

The Court reviewed the Motion, the *Declaration of Victoria L. Nelson In Support of Motion to Approve Sale of the Real Property Located At 10710 Hobbiton Avenue, Las Vegas, Nevada 89144-0000 [APN 164-12-213-019]* Pursuant to 11 U.S.C. § 363 [ECF No. 73], the *Declaration of Maureen Robison In Support of Motion to Approve Sale of the Real Property Located At 10710 Hobbiton Avenue, Las Vegas, Nevada 89144-0000 [APN 164-12-213-019]* Pursuant to 11 U.S.C. § 363 [ECF No. 74], the *Notice of Hearing On Motion to Approve Sale of the Real Property Located At 10710 Hobbiton Avenue, Las Vegas, Nevada 89144-0000 [APN 164-12-213-019]* Pursuant to 11 U.S.C. § 363 [ECF No. 75], the *Certificate of Service of Motion to Approve Sale of the Real Property Located At 10710 Hobbiton Avenue, Las Vegas, Nevada 89144-0000 [APN 164-12-213-019]* Pursuant to 11 U.S.C. § 363 [ECF No. 76], the *Limited Opposition to Motion to Approve Sale of the Real Property Located At 10710 Hobbiton Avenue,*

² All defined terms in this Order shall have the same meaning ascribed to them in the Application unless otherwise provided herein.

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1 *Las Vegas, Nevada 89144-0000 [APN 164-12-213-019] Pursuant to 11 U.S.C. § 363 [ECF No.*
2 *88] the exhibits attached thereto, and all the pleadings on file herein.*

3 It appearing to the Court that it is in the best interests of the Estate and its creditors to sell
4 the Hobbiton Property and for U.S. Bank's lien to be paid in full, and upon consideration of the
5 pleadings and arguments of counsel, and based upon the findings of fact and conclusions of law
6 placed on the record at the hearing and incorporated herein pursuant to Federal Rule of Civil
7 Procedure 52, incorporated by reference by Federal Rules of Bankruptcy Procedure 7052 and
8 good cause appearing,

9 **IT IS HEREBY ORDERED** that:

10 (1) The Application is GRANTED in its entirety with the exception as set forth in
11 Paragraph 4 below; and

12 (2) The Hobbiton Property shall be sold to Purchaser free and clear of liens pursuant
13 to 11 U.S.C. § 363(f) for the purchase price of \$600,000 on the terms set forth in the Purchase
14 Agreement; and

15 (3) The fourteen (14) day stay under FRBP 6004(h) is waived; and

16 (4) U.S. Bank's lien against the Hobbiton Property shall be paid in full at closing.

17 **IT IS SO ORDERED.**

18 Prepared and submitted by:

19 **NELSON & HOUMAND, P.C.**

20 By: /s/ Kyle J. Ortiz
21 Jacob L. Houmand, Esq. (NV Bar No. 12781)
22 Kyle J. Ortiz, Esq. (NV Bar No. 14252)
23 1180 North Town Center Drive, Suite 100
24 Las Vegas, Nevada 89144
Telephone: 702/720-3370
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25 *Counsel for Victoria L. Nelson, Chapter 7 Trustee*
26
27
28

LOCAL RULE 9021 CERTIFICATE

In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that:

- ☐ The Court has waived the requirements set forth in Local Rule 9021(b)(1).
- ☐ No party appeared at the hearing or filed an objection to the Motion.
- ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

Approved

By: /s/ Ramir M. Hernandez

Ramir M. Hernandez, Esq.
Nevada Bar No. 13146
7785 W. Sahara Ave., Suite 200
850 E. Bonneville Avenue
Las Vegas, NV 89117

Attorney for Creditor, U.S. Bank National Association successor in interest to Wachovia Bank, National Association, as Trustee for Banc of America Funding Corporation Mortgage Pass-Through Certificates, Series 2005-E

- ☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to Local Rule 9014(g), and that no party has objected to the form or content of the order.

Dated this 13th day of October, 2017.

NELSON & HOUMAND, P.C.

By: /s/ Kyle J. Ortiz

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